

**IN THE CLAIMS:**

The text of all pending claims, (including withdrawn claims) is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~strikethrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please CANCEL claims 11 and 12 without prejudice or disclaimer and AMEND claim 1 in accordance with the following:

1. **(currently amended)** An active material for a battery, comprising:  
an electrochemically reversibly oxidizable and reducible base material which can intercalate/deintercalate lithium ions, the base material selected from the group consisting of a lithium-containing metal oxide, a lithium containing chalcogenide compound, and a carbon-based material; and  
a surface-treatment layer formed on the base material and comprising a compound of the formula  $MXO_k$ , wherein:  
M is at least one element selected from the group consisting of an alkali metal, an alkaline earth metal, a group 13 element, a group 14 element, a transition metal, and a rare-earth element,  
X is an element that is capable of forming a double bond with oxygen, and  
k is a numerical value in the range of 2 to 4.
2. **(original)** The active material of claim 1, wherein the element M is selected from the group consisting of Na, K, Mg, Ca, Sr, Ni, Co, Si, Ti, B, Al, Sn, Mn, Cr, Fe, V, Zr, and a combination thereof.
3. **(original)** The active material of claim 1, wherein the element X is selected from the group consisting of P, S, W, and a combination thereof.
4. **(original)** The active material of claim 1, wherein an amount of the element M is 0.1 to 15 % by weight of the active material.

5. **(original)** The active material of claim 1, wherein an amount of the element M is 0.1 to 6% by weight of the active material.

6. **(original)** The active material of claim 1, wherein an amount of the element X is 0.1 to 15 % by weight of the active material.

7. **(original)** The active material of claim 1, wherein an amount of the element X is 0.1 to 6% by weight of the active material.

8. **(original)** The active material of claim 1, wherein a thickness of the surface-treatment layer is 0.01 to 2  $\mu\text{m}$ .

9. **(original)** The active material of claim 1, wherein a tap density of the active material is 1 to 3 g/cc.

10 - 12 **(cancelled)**

13. **(original)** The active material as recited in claim 1, wherein the active material is used in at least one of a positive electrode and a negative electrode of the battery.

14. **(original)** The active material as recited in claim 1, wherein the battery is one of a manganese battery, an alkaline battery, a mercury battery, a silver oxide battery, a lead-acid storage battery, a nickel metal hydride battery, a nickel-cadmium battery, a lithium metal battery, a lithium ion battery, a lithium polymer battery and a lithium-sulfur battery.

15. **(previously presented)** An active material for a battery, comprising:  
a lithiated intercalation compound selected from the group consisting of a lithium-containing metal oxide and a lithium-containing chalcogenide compound; and  
a surface-treatment layer formed on a surface of the lithiated intercalation compound and having a solid-solution compound including surface treating elements M and X, and a compound of the formula  $\text{MXO}_k$ ,  
wherein:

M is at least one element selected from the group consisting of an alkali metal, an alkaline earth metal, a group 13 element, a group 14 element, a transition metal, and a rare-earth element,

X is an element that is capable of forming a double bond with oxygen, and

k is a numerical value in the range of 2 to 4.

16. (original) The active material of claim 15, wherein the element M is selected from the group consisting of Na, K, Mg, Ca, Sr, Ni, Co, Si, Ti, B, Al, Sn, Mn, Cr, Fe, V, Zr, and a combination thereof.

17. (original) The active material of claim 15, wherein the element X is selected from the group consisting of P, S, W, and a combination thereof.

18. (original) The active material of claim 15, wherein an amount of the element M is 0.1 to 15% by weight of the active material.

19. (original) The active material of claim 15, wherein an amount of the element M is 0.1 to 6% by weight of the active material.

20. (original) The active material of claim 15, wherein an amount of the element X is 0.1 to 15 % by weight of the active material.

21. (original) The active material of claim 15, wherein an amount of the element X is 0.1 to 6% by weight of the active material.

22. (original) The active material of claim 15, wherein a thickness of the surface-treatment layer is 0.01 to 2  $\mu\text{m}$ .

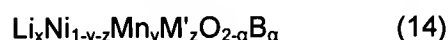
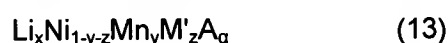
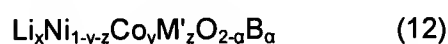
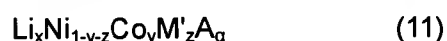
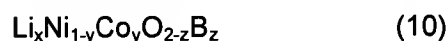
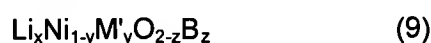
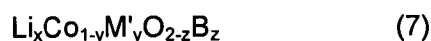
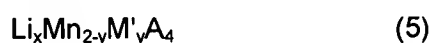
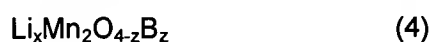
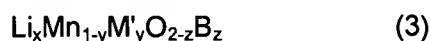
23. (original) The active material of claim 15, wherein a tap density of the active material is 1 to 3 g/cc.

24. (original) The active material of claim 15, wherein a concentration of the

elements M and X decreases gradually from a surface to a center of a particle grain of the active material.

25. (original) The active material of claim 15, wherein the lithiated intercalation compound has one of a monoclinic, hexagonal and a cubic structure as a basic structure.

26. (original) The active material of claim 15, wherein the lithiated intercalation compound is at least one selected from the group consisting of a lithium compound with the following formulas (2) to (14):



wherein  $0.95 \leq x \leq 1.1$ ,  $0 \leq y \leq 0.5$ ,  $0 \leq z \leq 0.5$ , and  $0 < \alpha \leq 2$ ;

M' is at least one element selected from the group consisting of Al, Ni, Co, Mn, Cr, Fe, Mg, Sr, V, and a rare-earth element;

A is at least one element selected from the group consisting of O, F, S and P; and

B is at least one element selected from the group consisting of F, S and P.

27. **(original)** The active material of claim 26, wherein an average particle size of the lithiated intercalation compound is 1 to 20  $\mu\text{m}$ .

28. **(previously presented)** An active material for a battery comprising:  
a lithiated intercalation compound selected from the group consisting of a lithium-containing metal oxide and a lithium-containing chalcogenide compound, and  
a surface-treatment layer formed on a surface of the lithiated intercalation compound and having a solid-solution compound including Al and P, and an  $\text{AlPO}_k$  (k is 2 to 4) compound.

29. **(original)** The active material of claim 28, wherein an amount of the element Al is 0.1 to 15 % by weight of the active material.

30. **(original)** The active material of claim 28, wherein an amount of the element Al is 0.1 to 6% by weight of the active material.

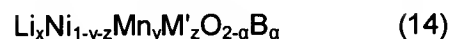
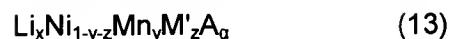
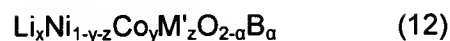
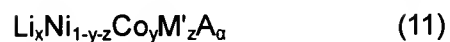
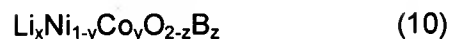
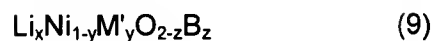
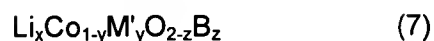
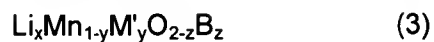
31. **(original)** The active material of claim 28, wherein an amount of the element P is 0.1 to 15 % by weight of the active material.

32. **(original)** The active material of claim 28, wherein an amount of the element P is 0.1 to 6% by weight of the active material.

33. **(previously presented)** The active material of claim 28, wherein a concentration of the elements P and Al decreases gradually from a surface to a center of a particle grain of the active material.

34. **(original)** The active material of claim 28, wherein the lithiated intercalation compound has one of a monoclinic, hexagonal and a cubic structure as a basic structure.

35. **(original)** The active material of claim 28, wherein the lithiated intercalation compound is at least one selected from the group consisting of a lithium compound with the following formulas (2) to (14):



wherein  $0.95 \leq x \leq 1.1$ ,  $0 \leq y \leq 0.5$ ,  $0 \leq z \leq 0.5$ , and  $0 < \alpha \leq 2$ ;

M' is at least one element selected from the group consisting of Al, Ni, Co, Mn, Cr, Fe, Mg, Sr, V, and a rare-earth element;

A is at least one element selected from the group consisting of O, F, S and P; and

B is at least one element selected from the group consisting of F, S and P.

36. (original) The active material of claim 35, wherein an average particle size of the lithiated intercalation compound is 1 to 20  $\mu\text{m}$ .

37. (original) The active material of claim 28, wherein a tap density of the active material is 1 to 3 g/cc.

38 -54 (cancelled)